The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

Journal of the [redacted] Legislative Committee.

June 18th A.D. 1844.

Willamette Falls June 18th-1844.

Pursuant to the Organic Law of Oregon, the Members of the Legislative Committee, met at the House of Mr Hathaway — Present, Peter H Burnett David Hill; and M. M. McCarver Members from Twality District — Absent Mr Gilmore.

A. Lawrence Lovejoy, from Clackamas District.

Daniel Waldo, Thomas D Keizer, Robert Newell from Champoeg District

Yamhill District not represented.

On motion of P. H. Burnett, David Hill was called to the Chair, and upon motion of M. M. McCarver, P. H. Burnett was appointed to act as Secretary, pro tem. during the absence of Dr S. E. Long, the regular Secretary of this body

On motion of P. H. Burnett, the several Members of the House were duly sworn to support the Laws of Oregon, and faithfully to discharge the duties of their office

On motion of Mr Lovejoy, the several Members of this House were excused from producing their credentials.

On motion of Mr Lovejoy the House then proceeded to the Election of Speaker,

Whereupon Mr Burnett put in nomination M. M. McCarver who was unanimously Chosen Speaker of the House

On motion of Mr Burnett, a committee of two were appointed by the Speaker to wait

upon the Executive Committee, and inform them that the House is now in Session.

Whereupon Mr Burnett and Mr Sawyer were appointed to compose said Committee.

On Motion of Mr Sawyer, the House then adjourned to meet this day, at 3 o'clock P. M.

Afternoon Session

The House met pursuant to adjournment.

The Committee appointed to wait upon the Executive Committee, reported that they had performed the duty assigned them.

The Executive Committee then presented their Message which was read by the Sec. and - On Motion of Mr Burnett, was laid on the table

The Speaker then announced that he had organized the following Committees, to wit;

Ways and Means — Messrs Newell, Hill, and Gilmore

Military Affairs — Messrs Hill, Keyes, and Gilmore

Land Claims — Messrs Waldo, Sawyer, Newell

Roads — Messrs Burnett, Waldo, and Keyes

Judiciary — Messrs Burnett, Sawyer, and Gilmore

On Motion of Mr Keyes, Messrs Sawyer, Burnett, and Waldo were appointed a Committee to draft and report rules for the government of this House.

On Motion of Mr Burnett, so much of the Executive

Committee's Message, as relates to a more thorough organization, to vesting the Executive power in a single individual, and to the appointment of several Judges, and also, those parts of said Message that relate to the amendment of the Laws of ~~Lunacy~~ Chancery, were refered to the Judiciary Committee

Also, so much of said Message as relates to the Militia, was refered to the Com. on Military Affairs

Also, so much of said Message as relates to the amendment of the Land Law, and the repeal of the 4th Section of the same, was refered to the Committee on Land Claims

Also, so much of said Message as relates to roads, and Road Commissioners, was refered to Committee on Roads

And also, ~~the remainder~~ the remainder of said Message was refered to the Committee of the Whole on the State of the Territory

The following Resolution ~~adopted~~ presented by Mr Newell was unanimously adopted, to wit;

Resolved that a vote of thanks be returned to the Executive Committee for their very Satisfactory Message, and that the Secretary be requested to furnish them a copy of this Resolution

---

On motion of Mr Hill, the House adjourned to meet again tomorrow, at 10 O'clock A.m.

June 19th 1844

The House met pursuant to adjournment

Present, Messrs Barnett, Gilmore, Hill, Heijer, Lowry, Newell, Waldo, and Mr Speaker

The Journal was read by the Secretary pro tem, and,
On Motion of Mr Lovejoy, was amended by striking
out the word Gunisons

Mr Gilmore appeared and took his seat, and was
sworn in the usual manner, by the Regular Secretary

The Speaker then called for Petitions — Mr Hill
presented a Petition from J. J. Hubbard and others, which
was refered to the Committee on Roads

Resolutions were then Called — but none offered —
Also, Reports from Standing Committees, but none were
presented

The Special Committee to draft and report Rules for
the government of the House, then made their
report which,

On Motion of Mr Burnett was adopted

On Motion of Mr Lovejoy, the House adjourned
to meet again tomorrow at 8 oclock A. M.

June 20th 1844

The House met pursuant to adjournment,
Present, Messrs Burnett, Gilmore, Hill, Keizer,
Lovejoy, Newell, Waldo, and Mr Speaker —

The Journal was then read by the Secretary,
The Speaker called for petitions, when Mr Lovejoy
presented one from Robt Moore and others, praying
permission to establish a Ferry at the Willamette
Falls, which was, on motion, refered to the Com-
mittee on roads.

Mr Burnett presented a petition from J. L.
Parish, for the establishment of an additional
District at Clatsop, which was refered to a Special

Committee, consisting of Messrs Hill, Waldo and Newell.

Reports from Standing Committees were called, but none were presented.

Mr Lovejoy gave notice that he intended to-morrow, to introduce a bill to legalize the acts of W. P. Dougherty

Mr Burnett gave notice that he intended to introduce a bill to prevent the introduction of Ardent Spirits into Oregon

On Motion of Mr Newell, the House adjourned to one O'clock P.M.

Afternoon Session

The House met pursuant to adjournment.

On Motion, the Treasurer was called upon by the Speaker for his Report for the past year which was made accordingly.

A Report from the Committee of Ways & Means was made, and,

On motion was recommitted for further consideration

On motion the House adjourned till Tomorrow

June 21st 1844.

The House met pursuant to adjournment.

After the reading of the Journal, Petitions were called, when Mr Lovejoy presented one from H. Ermatinger, on behalf of Jas. McLaughlin, for permission to establish a Ferry across the Willamette River, at the falls of the same; which was referred to Committee on Roads.

Reports from Standing Committees were then called, when Mr Hill reported a bill on Military Affairs. Also, a bill to establish an additional District at Clatsop

Mr Burnett reported a bill on roads also, a bill on Marriages, all of which, were read first time

Mr Burnett asked leave to introduce a bill to prevent the introduction of Ardent Spirits in Oregon.

Leave being granted, the bill was read 1st time, and,

On motion was referred to a Special Committee consisting of Messrs Burnett, Meyer, Waldo.

Mr Lovejoy asked leave to introduce a bill, to legalize the acts of W.P. Dogherty, of the Willamette falls, as Justice of the Peace of Clackamas District.

Leave being granted the bill was read 1st time and, on motion, referred to Judiciary Committee

On motion of Mr Lovejoy, the Land bill was read 2d time

The House then resolved itself into Committee of the Whole, Mr Newell in the chair, when,

The Land Bill, was taken up, and on motion of Mr Waldo, recommitted to Standing Committee for further consideration.

Mr Lovejoy asked leave to resign the office of Chairman of Committee on Land Claims which was granted.

Mr Lovejoy then asked ~~leave~~ to be excused from serving on said Committee, which was refused.

The Committee then rose and the Chairman reported Progress

Mr Gilmore gave notice that on Monday he should ask leave to introduce a bill Concerning Stock

A motion was made that the House do now adjourn till to morrow at the usual hour

Mr Lovejoy offered an Amendment that the House adjourn till 9 o'clock, which was not adopted, and the House adjourned to the usual hour

---

June 22d 1844

The House met pursuant to adjournment.

Reports from Standing Committees being called for, Mr Burnett reported the Bill on Roads and highways, with Amendments which was read the 2d time and committed to the Committee of the whole

Mr Burnett reported a Bill to authorize Hugh Burns to establish a Ferry at the Willamette Falls, which was read 1st time

Mr Burnett reported a Bill from the Judiciary Committee, which was read 1st time.

The Bill to prevent the introduction, Sale, and Manufacture of Ardent Spirits in Oregon was read 2d time, and ordered to be Engrossed for 3d reading

The Bill on Military Affairs and the Bill on Marriages, were both read 2d time, and referred to Committee of the Whole, to be consid this day

The Bill Creating a new County at Clatsop was recommitted with instructions

Mr Lovejoy gave notice, that on Monday he would ask leave to introduce a Bill to authorize John McLaughlin to establish a ferry at the Willamette falls

Mr Newell gave notice, that on Tuesday he would ~~give notice~~ ask leave to introduce a Bill to authorize John McLaughlin to construct a Canal at the Willamette falls

Mr ~~Hewitt~~ Speaker announced that Mr Newell would serve as Chairman of the Committee on Land Claims

On motion, the House then resolved itself into Committee of the whole on the State of the Country, Mr Lovejoy in the Chair

On Motion, the Bill on Territory Affairs, was taken up, to which, Mr Kuyen offered an amendment, which upon discussion was withdrawn

The Bill on Roads and Highways was then taken up, to which Mr McCarver offered an amendment which, on motion was rejected, Sundry alterations and amendments were made to the Bill

The Bill on Marriages was then taken up and discussed — after which, ~~On~~

On motion the Committee rose and the Chairman reported Progress

On motion the House adjourned till 2 O'clock P. M.,

—

Afternoon Session

The House met — pursuant to adjournment and,

On motion Mr Burnett, the rules of the

House were suspended, when Mr Hill reported as amended, the Bill, Creating a new County at Clatsop, which was read 2d time, ordered to be engrossed, and on motion was read a 3d time, and passed

Mr Newell reported a Bill from Committee of ways & means, which was read 1st time.

A Bill from Committee on Land Claims was read 1st time

Mr Lovejoy presented a Petition from John McLaughlin, for permission to Construct a Canal at the Willamette falls, which was referred to Special Committee Consisting of Messrs Lovejoy, Newell, and Waldo.

On motion, the Bill on Roads and Highways was Ordered to be engrossed, was read 3d time and passed.

The Bill on Marriages was read 3d time and passed.

Mr Gilmore gave notice, that on Monday he would ask leave to introduce a Bill to authorize Robt Moore to keep a ferry at the Willamette falls

On motion the House adjourned to Monday at the usual hour

June 24th 1842

The House met at the usual hour and after the reading of the Journal, Petitions were called for by the Speaker

Mr Lovejoy presented a Petition from the inhabitants of Gamhill and others praying for a wagon road from Gamhill to the forks of the Willamette River, which was referred to the Committee on Roads.

Reports were called, but none presented

Resolutions were then called, when Mr Kaser, offered one that the House adjourn from to morrow to the 2d Tuesday in December, which on discussion and division of the House was lost.

Mr Gilmore asked leave to introduce a Bill for the protection of horses and for other purposes, which was refered to the Judiciary Committee.

Mr Gilmore asked leave to introduce a Bill to authorize Robt Moore to establish a ferry at the Willamette falls, which was refered to a select Committee consisting of Messrs Gilmore, Lovejoy, and Waldo.

Mr Lovejoy asked leave to introduce a Bill to authorize John McLaughlin to keep a ferry at the Willamette falls, which was refered to Same Committee

The Bill for the prevention of the introduction, Sale, and manufacture of Ardent Spirits in Oregon, was called up for 3d Reading and passage.

On Motion, Dr E. White was allowed to make some Remarks in favor of said Bill

The bill was read 3d time and passed.

On Motion the bill legalizing acts of Justices of the Peace in Oregon, was read 3d time

On Motion, the rules of the House were dispensed for the passage of said bill 3d time, whereupon the bill was read 3d time, and passed.

The bill to authorize Hugh Burns to keep a ferry at the Willamette falls was read a 2d time and referred to Special Committee

The bill on Judiciary was read a 2d time and referred to Committee of the Whole to be considered this day

The bill on Land Claims was read a 2d time and referred to Committee of the Whole

The bill on Military affairs was read a 2d time and referred to Committee of the Whole

The bill on Ways & Means was read a 2d time and referred to Committee of the Whole

The Appropriation bill was read a 2d time and referred to Committee of the Whole

On Motion, the House then went into Committee of the Whole on the state of the Country, Mr Hill in the Chair

The bill on the Judiciary was taken up and on motion was postponed till tomorrow

The bill on Land Claims was next called up, when Mr Burnett offered an amendment to the Bill, which was adopted,

On Motion the bill, as amended was read by sections

The House adjourned till 2 oclock P. M.

Afternoon Session.

The House met pursuant to adjournment, when sundry alterations and amendments were made to the Land Claim bill

The bill on Ways and Means was next considered, being read by Sections, and upon the motion being put shall the 1st Section pass. the yeas and Nays were called for which were as follows

Yeas. Messrs Burnett. Gilmore. Hill, Waldo, and Mr Speaker. 5—

Nays. Messrs Keizer and Newell. 2

So the Section was adopted

The 2d and 3d Sections having been adopted, and the question, shall the 4th Section be adopted, being put, the yeas and Nays were called for, when the vote stood

Yeas. Messrs Burnett. Gilmore. Hill, Waldo and Mr Speaker. 5—

Nays. Messrs Keizer, Lovejoy, Newell, 3.

so the Section 4th was adopted

The remaining Sections of the bill were then adopted

The Minority report on Ways and Means was on motion laid on the table

On motion, the consideration of the bill on Military Affairs was postponed to Wednesday at 2 Oclock

On motion the Committee of the whole rose and reported progress

The bill on Land Claims was read a 3d time and passed

On motion the House adjourned till tomorrow.

June 23rd 1844.

The House met at the usual hour —

Petitions were called for by the Speaker when Mr Lovejoy presented one from Ransom Clark and others, for an additional County at Gambles, which was refused & a Special Committee, consisting of Messrs Lovejoy, Hall and Keyes.

Mr Newell presented a Petition from G. Hines and others, for a Charter for the Oregon Institute, which was refused & a Select Committee consisting of Messrs Burnett Waldo, and Gilmore

Mr Newell presented a Petition from Geo. Gary and others, for an Act to incorporate the Methodist Episcopal Church, which was refused & the last mentioned Committee

Reports from Standing Committees were called for, when Mr Newell reported a Bill from the Committee of Ways & Means regulating the salaries of officers, which was read 1st time

Mr Burnett reported back a Bill from Committee on Roads, also a Bill on Stallions without amendment, which report was received.

Reports from Special Committees were next called, when Mr Lovejoy reported a bill to authorize John McLaughlin & Constinet a Canal at the Willamette Falls which was received and read 1st time.

Mr Waldo reported back from Special Committee, the bill, with amendments, authorizing Hugh Burns to keep

a ferry at the Willamette falls, which was received.

Resolutions were then called, but none were presented

Orders of the day

On Motion the rules were suspended for the special purpose of allowing Mr Burnett to introduce a bill for the prevention of Slavery in Oregon, without giving previous notice, which was received and read 1st time

The bill on Horses was read 2d time and referred to Committee of the Whole

On Motion the bill on Land Claims was taken up, and referred to Committee of the whole

On Motion, the bill to grant H. Burns the right to keep a ferry, was ordered to be Engrossed for 3d reading, was read 3d time and passed

On Motion, the House went into Committee of the Whole, Mr Gilmore in the Chair.

The bill on the Judiciary being first in order, was taken up, read by Sections and adopted

The bill on Appropriations was next taken up and read by Sections, and on the question shall the 1st Section be adopted the Ayes and Nays were called, when the roll stood, Ayes, Hill, Keizer, Lovejoy, Newell Wald, Mr Speaker — 6.

Nays, Burnett 1,

so the Section was adopted.

On Motion the Committee adjourned to 2 o'clock P. M.

Afternoon Session

The Committee met at two O'clock and

On Motion the Land bill was read by sections and adopted

The bill on horses was recommitted with instructions

The Committee then rose and reported progress

The bill on Ways & Means was read 3d time and passed

The appropriation bill was read 3d time and passed

On Motion, the rules were suspended and the Land Claim bill was read 3d time and passed

Mr Burnett gave notice, that on tomorrow he would ask leave to introduce a bill to apportion the Representation of the several Counties, and one to alter the County boundaries.

Mr Hall gave notice that on tomorrow he would ask leave to introduce a bill to appoint road viewers

On Motion, the House adjourned till tomorrow at the usual hour

---

June 26th - 1844

The House met pursuant to adjournment

Petitions were called for, when Mr Burnett presented one from W. H. King, for a divorce from his wife, which was read and referred to the Judiciary Committee

Reports from standing Committees were called when Mr Reavis reported a bill for the appointment of an Assessor and for other purposes. Also, a bill to provide for the Salary of the Assessor and for other purposes, which were both read 1st time

From Special Committee, Mr Burnett reported concerning the Petitions of George Gary, and Gustavus Hines, for acts of incorporation, which report was received

Mr Lovejoy reported a bill for changing the boundaries of Gamhill County by attaching a portion of Yamhill County thereto — report was received and the bill read 1st time

Mr Gilmore reported favorably on the bill to authorize Robt Moore to establish a ferry at the Willamette falls, and unfavorably on the bill to authorize John McLaughlin to establish a ferry at the Willamette falls

On motion the rules were suspended for the day

On motion the bill to authorize Robt Moore to keep a ferry at the Willamette falls was read 2d time and refered to Committee of the whole

Mr Burnett presented a bill to amend several acts to organize Counties, which was read 2d time, and refered to Special Committee — Messrs Burnett, Hill, Gilmore,

Mr Burnett presented a bill to apportion the Representatives of the several Counties which was read 1st time and refered to last mentioned Committee

Mr Burnett presented a bill to regulate Steamers — read 1st time and refer[illegible]

last mentioned Committee

Mr Hill presented a bill to appoint Viewers of Roads, which was read 1st time.

On motion, the bill to make an addition to Yamhill County was read 2d time and referred to Committee of the whole

Orders of the day

The bill to authorize the opening of a new road from the Willamette falls to the falls of the Yamhill River, was read 2d time and referred to Committee of the whole

The bill to prevent Slavery in Oregon was read 2d time and referred to the Committee of the whole

The bill regulating Salaries was read 2d time, and referred to Committee of the Whole

The bill, to authorize John McLaughlin to construct a Canal at the Willamette falls was read 2d time and referred to Committee of the whole

Mr Lovejoy presented a Petition from J. Ermatinger and others, ~~to~~ for an Act to incorporate Oregon City, which was referred to Select Committee — Messrs Burnett, Lovejoy, and Hill.

On motion the Appropriation bill was reconsidered, and referred to Committee of the whole

On motion, the House went into Committee of the Whole, Mr Lovejoy in the Chair.

The bill to authorize John McLaughlin to construct a Canal at the Willamette falls being under consideration, Mr Burnett

offered an amendment to said bill, which was adopted — the bill was then read by sections and adopted

The bill authorizing Robt Moore to keep a ferry, was read by sections and adopted.

The bill regulating Salaries of Officers, was read by sections and adopted

The bill, to prevent Slavery in Oregon, was considered, and adopted

The Committee adjourned to 2 oclock

Afternoon Session

The Committee met pursuant to adjournment.

The bill on Military Affairs was considered and adopted

The bill to attach a part of ~~Umatilla~~ Clackamas County to Gambill was considered and adopted.

The appropriation bill was considered and adopted.

The bill for opening a road from the Willamette falls to Gambill River was considered and adopted

---

On motion the Committee rose and reported progress.

On motion the Judiciary bill was reconsidered, and referred to Committee of the whole to be considered to-morrow

Mr Burnett offered & by way of ~~Rider~~ an amendment to the bill authorizing John McLaughlin to construct a Canal, which amendment was read three times and adopted,

The bill having been read three times, and the question being put, shall the bill pass, the yeas and nays were demanded when the vote stood

Yeas Messrs Burnett, Gilmore, Keizer, Lovejoy, Newell, Waldo, and Mr Speaker 7

Nays Mr Hill 1

So the bill passed

The bill authorizing Robt Moore to keep a ferry at the Willamette falls, was read a 3d time and passed

The bill to authorize the opening of a road from Willamette falls, to Falls of Clackamas river, was read 3d time & passed,

The bill regulating Salaries of officers was read 3d time and passed

The bill to ~~authorize~~ prevent Slavery in Oregon and for other purposes; was read third time and passed on the question shall the bill pass, the yeas and nays were demanded, when the vote stood

Yeas Messrs Burnett, Gilmore, Keizer, Waldo, Newell, Mr Speaker 6

Nays - Messrs Lovejoy, Hill, 2

So the bill passed

The appropriation bill was read 3d time and passed

The bill to attach a part of Yuelatin County to Clackamas County was read 3d time and passed

The House adjourned till tomorrow at the usual hour.

June 27th 1844

The House met pursuant to adjournment —

Petitions were called, but none presented

Reports from Special Committees being called, Mr Burnett reported, recommending a postponement of the consideration of the Petition W. H. King, for a divorce from his wife, until the next session of the Legislature, which report was received

Mr Burnett reported the Bill on horses, with amendments, which report was received

Reports from Standing Committees being called for, Mr Burnett reported back the apportionment bill — the bill on Seamen — and the bill on organization of Counties without amendment, which report was received

Mr Lovejoy reported unfavorably, on the Petition for the incorporation of Oregon City, which report was received.

Resolutions were next in order.

Mr Gilmore moved that all the bills reported unfavorably upon by Committees be laide on the table till next session of the Legislature

Mr Lovejoy moved that the House at its next adjournment, do adjourn sine die, which motion was lost

On motion the Roll of Members was called — Mr Hill being absent, Mr Kinsey was requested to inform him that his presence was required in the House,

Mr Kinsey reported that he could not find Mr H.

Orders of the day.

The bill for the appointment of Road Viewers was read 2d time and refered to Committee of the whole

The bill providing for the appointment of an Assessor for 1844, was read 2d time, and refered to Committee of the whole

The bill on apportionment, and the bill on the organization of Counties, were both read 2d time and refered to Committee of the whole

On motion, the Report of the Treasurer for last year, was laid on the table

On motion the House went into Committee of the whole — Mr Kinzie in the Chair.

The Judiciary bill was read and considered, to which some amendments were ~~offered~~ made, and,

On motion the Judiciary bill, as amended was adopted by Committee.

The bill for the Appointment of an Assessor for 1844, was considered, and adopted.

The bill for the Election of an Assessor after the year 1844, was considered and adopted

The bill for the appointment of Road Viewers, was considered and adopted

The bill to amend several acts for the organization of Counties was considered and adopted

The appropriation bill was considered and adopted

The bill on Seamen, was considered and adopted

On Motion the Committee rose and reported Progress

On Motion, the Rules were suspended for the day, when the Judiciary bill, & the bill for appointing an Assessor for 1844, the bill providing for the election of an Assessor after 1844, the bill to appoint road Viewers, the bill for amending several acts for organization of Counties, the bill on Appropriation, and the bill on Examiners were severally read 3d time and passed.

The House then adjourned to 2 o'clock P. M.

Afternoon Session

The House met at 2 o'clock, when,

Mr Burnett offered a Resolution censuring David Hill, for his misconduct in absenting himself from the House, and neglecting his duty, as a Member of the Legislative Committee, which was adopted

Mr Burnett offered a bill, amendatory of a bill on roads — read 1st time — and on motion was read 2d time, and ordered to be engrossed, and

On Motion was read 3d time, and passed

On motion the House went into Committee of the Whole — Mr Waldo in the Chair when,

The bill for the protection of horses was considered and adopted

On motion the Committee rose and reported progress.

The Bill for the Selection of Jurors was read 3d time and passed

On Motion, the Thanks of the House were voted to Genl. McCarver, for the able manner in which he has discharged the duties of his office, as Speaker of the House

On Motion the House adjourned to the third Monday in December next A.D. 1844

Signed,
M. M. McCarver
Speaker

Attest.
S. E. Long
Secretary